

Form 410

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

John DeFillip
aka Jack DeFillip, aka John Anthony DeFillip
Debtor(s)

Bankruptcy Case No.: 17-24124-JAD
Doc. No. 32
Chapter: 13
Docket No.: 33 – 32
Concil. Conf.: March 21, 2019 at 10:00 AM

ORDER

WHEREAS, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

IT IS HEREBY ORDERED that, on or before **February 1, 2019**, Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit or Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

IT IS FURTHER ORDERED that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **February 19, 2019**, if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **March 21, 2019 at 10:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the Conciliation Conference, a hearing will be scheduled and orally announced at the conclusion of the Conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the Conciliation conference to the extent such parties desire more information regarding the outcome of the Conciliation Conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: December 18, 2018

Jeffery A. Deller
United States Bankruptcy Judge

cm: All Creditors and Parties In Interest

INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee
P.O. Box 84051
Chicago, IL 60689-4002

Certificate of Notice Page 3 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 John DeFillip
 Debtor

Case No. 17-24124-JAD
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: msch
 Form ID: 410

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 Total Noticed: 37

Date Rcvd: Dec 18, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 20, 2018.

db +John DeFillip, 83 Castle View Drive, Mc Kees Rocks, PA 15136-1898
 cr +Montour Area School District, Goehring, Rutter & Boehm, 437 Grant Street, 14th Floor,
 Frick Building, Pittsburgh, PA 15219, UNITED STATES 15219-6101
 cr +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
 Pittsburgh, PA 15233-1828
 cr +Township of Kennedy, 437 Grant Street, 14th Floor, Frick Building, Frick Building,
 Pittsburgh, PA 15219, UNITED STATES 15219-6101
 14710069 +American Express, PO Box 1270, Newark, NJ 07101-1270
 14750032 American Express Bank, FSB, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14710070 +American Express Business, PO Box 1270, Newark, NJ 07101-1270
 14750804 American Express Centurion Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 14710071 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, PO Box 15019, Wilmington, DE 19886)
 14744175 Bank of America, N.A., PO BOX 31785, Tampa, FL 33631-3785
 14781880 +Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
 14710076 +Chase Cardmember Serice, PO Box 1423, Charlotte, NC 28201-1423
 14715649 Chase Cardmember Services, P.O. Box 1423, Charlotte, NC 28201-1423
 14783657 ++DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577
 (address filed with court: Dell Financial Services, LLC, Resurgent Capital Services,
 PO Box 10390, Greenville, SC 29603-0390)
 14710078 +Fifth Third Bank, PO Box 740789, Cincinnati, OH 45274-0789
 14729067 +Fifth Third Bank, PO Box 9013, Addison, Texas 75001-9013
 14710079 +First National Bank Omaha, PO Box 2557, Omaha, NE 68103-2557
 14713070 +First National Bank of Omaha, 1620 Dodge St., Stop Code 3105, Omaha, NE 68197-0002
 14710080 +Franklin American Mortgage Company, PO Box 77404, Ewing, NJ 08628-6404
 14784713 +Franklin American Mortgage Company, c/o Cenlar FSB, 425 Phillips Boulevard,
 Ewing, NJ 08618-1430
 14710082 +Home Depot Credit Services, PO Box 9001010, Louisville, KY 40290-1010
 14739826 +Montour Area School District, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101
 14710086 PNC, PO Box 8561777, Louisville, KY 40285
 14710085 #+PayPal Credit, PO Box 105658, Atlanta, GA 30348-5658
 14710088 +Sears, PO Box 9001055, Louisville, KY 40290-1055
 14739825 +Township of Kennedy, Goehring, Rutter & Boehm, c/o Jeffrey R. Hunt, Esquire,
 437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219-6101

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14710073 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Dec 19 2018 02:59:32
 Capital One Bank (USA) N.A., P.O. Box 71083, Charlotte, NC 28272-1083
 14710075 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Dec 19 2018 02:59:33 Capital One Spark,
 PO Box 71083, Charlotte, NC 28272-1083
 14783928 +E-mail/Text: kburkley@bernsteinlaw.com Dec 19 2018 02:53:15 Duquesne Light Company,
 c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
 Pittsburgh, PA 15219-1945
 14710083 +E-mail/PDF: gecsedirecoverycorp.com Dec 19 2018 02:59:47 Lowes/Synchrony Bank,
 PO Box 530914, Atlanta, GA 30353-0914
 14783560 E-mail/Text: bkr@cardworks.com Dec 19 2018 02:52:10 MERRICK BANK,
 Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
 14710084 +E-mail/Text: bkr@cardworks.com Dec 19 2018 02:52:10 Merrick Bank, PO Box 660702,
 Dallas, TX 75266-0702
 14765471 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 19 2018 03:10:21
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 14710521 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 19 2018 03:10:21
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 14780689 E-mail/Text: bnc-quantum@quantum3group.com Dec 19 2018 02:52:34
 Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 14710087 +E-mail/PDF: gecsedirecoverycorp.com Dec 19 2018 02:59:47 Sam's Club/Synchrony Bank,
 PO Box 530942, Atlanta, GA 30353-0942
 14710089 +E-mail/PDF: gecsedirecoverycorp.com Dec 19 2018 02:59:31 Synchrony/JC Penny,
 PO Box 960090, Orlando, FL 32896-0090

TOTAL: 11

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr BANK OF AMERICA, N.A.
 cr Citizens Bank, N.A.
 cr Duquesne Light Company
 cr Franklin American Mortgage Company

District/off: 0315-2

User: msch
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cr* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14715641* +American Express, PO Box 1270, Newark, NJ 07101-1270
14715642* +American Express Business, PO Box 1270, Newark, NJ 07101-1270
14715643* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bank of America, PO Box 15019, Wilmington, DE 19886)
14710072* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bank of America, PO Box 15220, Wilmington, DE 19886-5019)
14715644* ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
(address filed with court: Bank of America, PO Box 15220, Wilmington, DE 19886-5019)
14710074* Capital One Bank (USA) N.A., P.O. Box 71083, Charlotte, NC 28272-1083
14715645* Capital One Bank (USA) N.A., P.O. Box 71083, Charlotte, NC 28272-1083
14715646* Capital One Bank (USA) N.A., P.O. Box 71083, Charlotte, NC 28272-1083
14715647* +Capital One Spark, PO Box 71083, Charlotte, NC 28272-1083
14715648* +Chase Cardmember Service, PO Box 1423, Charlotte, NC 28201-1423
14710077* ++DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577
(address filed with court: Dell Preferred Account, Payment Processing Center, PO Box 6403, Carol Stream, IL 60197)
14715650* ++DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577
(address filed with court: Dell Preferred Account, Payment Processing Center, PO Box 6403, Carol Stream, IL 60197)
14715651* +Fifth Third Bank, PO Box 740789, Cincinnati, OH 45274-0789
14715652* +First National Bank Omaha, PO Box 2557, Omaha, NE 68103-2557
14710081* +Franklin American Mortgage Company, PO Box 77404, Ewing, NJ 08628-6404
14715653* +Franklin American Mortgage Company, PO Box 77404, Ewing, NJ 08628-6404
14715654* +Franklin American Mortgage Company, PO Box 77404, Ewing, NJ 08628-6404
14715655* +Home Depot Credit Services, PO Box 9001010, Louisville, KY 40290-1010
14715656* +Lowe's/Synchrony Bank, PO Box 530914, Atlanta, GA 30353-0914
14715657* +Merrick Bank, PO Box 660702, Dallas, TX 75266-0702
14715659* PNC, PO Box 8561777, Louisville, KY 40285
14715658* +PayPal Credit, PO Box 105658, Atlanta, GA 30348-5658
14715660* +Sam's Club/Synchrony Bank, PO Box 530942, Atlanta, GA 30353-0942
14715661* +Sears, PO Box 9001055, Louisville, KY 40290-1055
14715662* +Synchrony/JC Penny, PO Box 960090, Orlando, FL 32896-0090

TOTALS: 4, * 26, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 20, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 18, 2018 at the address(es) listed below:

Alexandra Teresa Garcia on behalf of Creditor Citizens Bank, N.A. ecfmail@mwc-law.com,
ecfmail@ecf.courtdrive.com
Alexandra Teresa Garcia on behalf of Creditor Franklin American Mortgage Company
ecfmail@mwc-law.com, ecfmail@ecf.courtdrive.com
James Warmbrodt on behalf of Creditor BANK OF AMERICA, N.A. bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Township of Kennedy jhunt@grblaw.com,
cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor Montour Area School District jhunt@grblaw.com,
cnoroski@grblaw.com
Julie Frazee Steidl on behalf of Debtor John DeFillip julie.steidl@steidl-steinberg.com,
leslie.nebel@steidl-steinberg.com; abby.steidl@me.com; cgoga@steidl-steinberg.com; r53037@notify.bes
tcase.com;rlager@steidl-steinberg.com; kmeyers@steidl-steinberg.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
DMcKay@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Ronda J. Winnecour cmecf@chapter13trusteedpa.com

S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com

TOTAL: 10